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C O N F I D E N T I A L SECTION 01 OF 02 USNATO 000364

SIPDIS

DEPARTMENT FOR RPM, SCA/A, SCA/PB

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SUBJECT: NORTH ATLANTIC COUNCIL'S FIRST ASSESSMENT OF THE
AFGHAN ELECTIONS

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Classified By: Charge d'Affaires Kate Byrnes for reasons 1.4 (b), (c),
(d).

¶1. (C) SUMMARY: On August 21 the Commander of the NATO-led International Security Assistance Force (COMISAF) General Stanley McChrystal and NATO Senior Civilian Representative (SCR) Fernando Gentilini provided a post-election report to the North Atlantic Council (NAC) in a special session via video-teleconference from Kabul. Both saw cause for optimism in the way the polling had proceeded, but were concerned about statements in the post-election period made by some Karzai opponents. COMISAF said the Afghan-led security plan for the election was planned and executed well and that the ANSF were prepared for a second round of elections if needed. Allies praised the Afghan National Security Forces and ISAF for their strong support to the August 20 elections. Responding to Council member concerns about the promulgation of the Law on Personal Affairs of the Followers of Shi'a Jurisprudence (the "Shi'a Law"), the NATO Secretary General (SYG) told the Council that he had sent a personal and private letter to Afghan President Karzai expressing his reservations about the law. END SUMMARY.

The Political Perspective

¶2. (C) NATO Senior Civilian Representative (SCR) Gentilini provided the NAC with a political point-of-view of post-election activities. Gentilini cautioned NATO members to "stick to the rule of the game" and allow Afghanistan's Independent Electoral Commission (IEC) to speak first on election results. Responding to a question from the German Ambassador, the SCR said the Afghan population's acceptance of the results would determine the election's credibility. He said it was too early to speculate on voter turnout. Gentilini said Afghanistan was missing a strategic concept on reconciliation, and that the international community would need to help the new government form an Afghan-owned and led reconciliation process.

¶3. (C) Gentilini said the IEC would announce initial results August 25 and final election results only after the Elections Complaint Commission (ECC) had a chance to investigate and adjudicate all elections complaints (deadline September 17). Gentilini said the ECC would only focus on complaints relating to the election's outcome.

¶4. (C) Gentilini listed election results, face-saving, and power sharing as the three most important themes emanating from the August 20 elections. He said he had spoken with Presidential opposition candidates Abdoullah Abdoullah and Ashraf Ghani Ahmadzai and found their post-election demeanor gloomy. The SCR surmised that Dr. Abdoullah was running two races, one for President of Afghanistan and one for political power within his United Front party. Gentilini said Ghani was very critical of the election process and cited numerous irregularities. Although the SCR noted that Ghani planned to voice his displeasure privately among the international community in Kabul, avoiding public media, Gentilini expressed distrust over Ghani's motives for complaining. He suspected that Ghani was planning for the contingency in which he lost the election, to ensure he could bargain for a position in the new Afghan government.

Security Overview

¶5. (C) COMISAF said the elections were executed with few serious incidents, with only two percent of polling sites experiencing security-related incidents. Despite insurgent threats, he said the Afghan-led security plan for the election was planned and executed well and most Afghans did

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get out and vote. Responding to a request from Canada and Germany for an assessment of ANSF performance, he said they were well coordinated and covered wide areas across Afghanistan. He said ANSF site security, quick reaction forces, and transportation logistics performed well. He said the ANSF realized they had already "strained every muscle" to perform the first round of elections, but had high confidence that they were prepared for a second round if needed.

¶6. (C) COMISAF cautioned that ANSF would continue to need NATO help to improve their capabilities in the areas of command and control, airpower, close air support, logistics, and transportation. Overall, he found their performance positive and indicative of further successes. Turkey and Hungary asked for COMISAF's thoughts on the Taliban's interference in the election. COMISAF said that insurgency activity before and during elections was not the best display of their strengths. Instead, the insurgency was strongest at local intimidation and control in the form of a shadow government. He said the Taliban had been most weakened by NATO operations in Ghanzi, Paktika, and Helmand provinces. COMISAF was not certain when the 60-day assessment would be released if an election run-off took place, but said he would consult with the SYG on the best timing.

Shi'a Law

¶7. (C) Following up on concerns raised by Perm Reps in the August 19 North Atlantic Council meeting about the Law on Personal Affairs of the Followers of Shi'a Jurisprudence (the "Shi'a law"), the SYG announced that he had sent a letter (sent separately to RPM by email) to President Karzai expressing his concern with the law. He said his letter highlighted the law's incompatibility with the rights of women and international human rights standards, and requested the Afghan government to provide a timely report on the contents of the law. He reassured Council members that the letter was sent as private communication from himself to President Karzai and not on behalf of NATO. He vowed not to

release a public statement on behalf of NATO until an official translation of the law was received and discussed by the Council. It is worth noting that the letter was sent out to Council members only ten minutes before the NAC went into the special session. This did not provide ample time for Council members to review it or prepare feedback for the special NAC session.

18. (C/REL NATO) NATO's SCR Gentilini reported that he was already working to engage in a constructive way. He said he had met with Afghan Foreign Minister Rangin Dadfar Spanta and asked for a translation of the revised Shi'a Law. Gentilini also said he spoke with the head of Afghanistan's Independent Human Rights Commission Sima Samar and asked for the civil society perspective on the most controversial parts of the law as well as a direct translation. The SCR urged the NAC to obtain all the facts before distributing a public statement on the law. Rasmussen agreed and assured the PermReps that he would gather all the information and put the Shi'a Law on an upcoming agenda for a full Council discussion.

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